

EJK:CMM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

13M001

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UNITED STATES OF AMERICA

PRE-ARRAIGNMENT
C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

YEDNI GARCIA,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

ERIC PAUTA, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about January 1, 2013, within the Eastern District of New York and elsewhere, defendant YEDNI GARCIA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof heroin, a Schedule 1 controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. On January 1, 2013, defendant YEDNI GARCIA arrived at John F. Kennedy International Airport in Queens, New York, aboard Jet Blue, Flight No. 826 from Santo Domingo, Dominican Republic.

2. Customs and Border Protection ("CBP") officers stopped the defendant YEDNI GARCIA for a routine enforcement examination. The defendant presented one black roller bag. When CBP officers examined the suitcase, they discovered that the black roller bag was unusually heavy and had an unusually thick bottom. The black roller bag was probed revealing a tan powdery substance, which field tested positive for heroin. The total approximately gross weight of the heroin found in the defendant YEDNI GARCIA's black roller bag was 2,155.6 grams. The CBP officer placed the defendant under arrest and an agent from HSI was notified.


3. The defendant YEDNI GARCIA then admitted to ingesting approximately 70 pellets of narcotics. The defendant was presented with an x-ray consent form, which he read, appeared to understand and signed.

4. The defendant YEDNI GARCIA was transported to the medical facility at John F. Kennedy International Airport, where an x-ray was taken of the defendant's intestinal tract. The x-ray was positive for foreign bodies. On January 1, 2013, the defendant passed 4 pellets, which field-tested positive for the

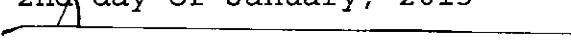
presence of heroin.

5. Defendant YEDNI GARCIA will be detained at the JFK medical facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that defendant YEDNI GARCIA be dealt with according to law.



ERIC PAUTA
Special Agent
HSI

Sworn to before me this
2nd day of January, 2013


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